

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL J. WAPPLER,

Plaintiff,

v.

MATTHEW J. BREVARD, *et al.*,

Defendants.

Case No. 4:05-CV-90

Hon. Paul L. Maloney

**ORDER AND PARTIAL
JUDGMENT**

In accordance with the Court's Opinion of this date resolving Plaintiff Michael J. Wappler and Defendant Karen Tucker's Objections;

IT IS HEREBY ORDERED that Defendant Karen Tucker's Objections (Dkt. No. 252) are **DENIED**.

IT IS FURTHER ORDERED that Plaintiff Michael J. Wappler's Objections and Supplemental Objections (Dkt. Nos. 253 & 255) are **GRANTED IN PART AND DENIED IN PART**.

IT IS FURTHER ORDERED that the Report and Recommendation of September 24, 2007 is **ADOPTED IN PART AND REJECTED IN PART** as specified in the Court's Opinion.

IT IS FURTHER ORDERED that Plaintiff's Motion to Hold Defendants' Dispositive Motion in Abeyance and Motion that Defendant Produce Complete and Sworn Deposition Transcripts (Dkt. Nos. 224 & 229) are **DENIED**.

IT IS FURTHER ORDERED that Defendants Brevard, Mikkelsen and Tucker's Motion for Summary Judgment (Dkt. No. 212) is **GRANTED IN PART AND DENIED IN PART** and all

claims asserted by Plaintiff are **DISMISSED WITH PREJUDICE** **excepting** Plaintiff's claims against Defendant Karen Tucker for opening incoming attorney mail, limited to the claims for correspondence of January 23, 2003, February 21, 2003 and Exhibits F-1, F-2, F-5, F-6, F-8, F-9, F-10, F-11, F-12, F-14, F-15, F-16, F-20, F-21, F-22, F-23 and F-24.

Dated: September 30, 2008

/s/ Paul L. Maloney
PAUL L. MALONEY
Chief United State District Judge